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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 MERILAND DILLARD,

11 Plaintiff,

12 v.

13 RED CANOE FEDERAL CREDIT  
14 UNION,

15 Defendant.

CASE NO. C14-1782JLR

ORDER GRANTING MOTION  
FOR EXTENSION OF TIME

16 **I. INTRODUCTION**

17 Before the court is Defendant Red Canoe Credit Union's ("Red Canoe")<sup>1</sup> motion  
18 for an extension of time for the parties to complete their Federal Rule of Civil Procedure  
19 26(f) conference, produce their Rule 26(a)(1) initial disclosures, and file their combined  
20 joint status report and discovery plan. (Mot. (Dkt. # 19).) Plaintiff Meriland Dillard has

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22 <sup>1</sup> Red Canoe asserts that it was improperly named in the complaint as "Red Canoe  
Federal Credit Union." (Mot. (Dkt. # 19) at 1.)

1 not filed a response to Red Canoe's motion. (*See generally* Dkt.) The court has  
2 considered Red Canoe's motion, the balance of the record, and the applicable law. Being  
3 fully advised, the court GRANTS Red Canoe's motion.

## 4 **II. BACKGROUND**

5 On January 7, 2015, the court issued an order regarding deadlines for the parties'  
6 Rule 26(f) conference, Rule 26(a)(1) initial disclosures, and joint status report and  
7 discovery plan. (1/7/15 Order (Dkt. # 10).) The order required the parties to hold their  
8 Rule 26(f) conference no later than February 23, 2015, produce their Rule 26(a)(1) initial  
9 disclosures by March 9, 2015, and file their joint status report and discovery plan by  
10 March 9, 2015, as well. (*Id.* at 1.)

11 On January 13, 2015, Plaintiff filed a motion asking the court to stay the action for  
12 six months. (Mot. for Stay (Dkt. # 12).) The court denied Plaintiff's motion for a stay  
13 because Plaintiff failed to show why she would suffer inequity or hardship (in this  
14 electronic age) by being forced to go forward with her lawsuit simply because she was  
15 out of the country for six months, and because the court found that a stay would not  
16 further the orderly course of justice. (2/6/15 Order (Dkt. # 17) at 3-5.) However, in  
17 denying Plaintiff's request for the six-month stay, the court noted that it could "envision  
18 difficulties for the parties in completing their initial disclosure of documents as required  
19 under . . . Rule . . . 26(a)(1)(A) while Ms. Dillard is out of the country" and invited the  
20 parties to "seek an extension of this particular deadline . . . if appropriate." (*Id.* at 4-5,  
21 n.3.)  
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1 On January 21, 2015, Red Canoe filed a motion to dismiss Plaintiff's action in its  
2 entirety. (Mot. to Dismiss (Dkt. # 13).) In its motion to dismiss, Red Canoe challenges  
3 Plaintiff's action on jurisdictional grounds (based on alleged improper service under  
4 Federal Rule of Civil Procedure 4) and on substantive grounds. (*See generally id.*) The  
5 court notes that Red Canoe's motion to dismiss was noted for February 27, 2015, (*see*  
6 Notice (Dkt. # 18), but Plaintiff has failed to file a timely response (*see generally* Dkt.).

7 On February 12, 2015, Red Canoe filed its present motion seeking an extension of  
8 the deadlines contained in the court's January 7, 2015, order. (*See* Mot.) Specifically,  
9 Red Canoe asks the court to extend the deadline for the parties' Rule 26(f) deadline until  
10 30 days following the court's ruling on Red Canoe's pending motion to dismiss. (Mot. at  
11 1.) Red Canoe also asks the court to extend the deadline for the parties to produce their  
12 initial disclosures and file their joint status report and discovery plan until 44 days  
13 following the court's ruling on the motion to dismiss. (*Id.* at 2.)

### 14 III. ANALYSIS

15 Federal Rule of Civil Procedure 6(b)(1)(A) authorizes the court to extend "for  
16 good cause" the time to perform an act if the request for an extension is made before the  
17 original time to perform the act expires. Fed. R. Civ. P. 6(b)(1)(A). Here, Red Canoe  
18 timely filed its motion for an extension of time prior to the deadlines set forth in the  
19 court's January 7, 2015, order. Accordingly, the "good cause" standard applies.

20 The court finds that Red Canoe has demonstrated good cause for an extension of  
21 the deadlines in the court's January 7, 2015, order. The court has already recognized that  
22 Plaintiff's absence from the country could create difficulties for the parties in terms of

1 meeting the deadline for the production of their Rule 26(a)(1) initial disclosures. (2/6/15  
2 Order at 4-5, n.3.) In addition, the court finds that Red Canoe has demonstrated good  
3 cause for the limited extension it seeks for the parties' Rule 26(f) conference and the  
4 filing of their joint status report and discovery plan. If Red Canoe's unopposed motion to  
5 dismiss is granted, then the time, effort, and expense of the parties to adhere to the  
6 deadlines contained in the court's January 7, 2015, order (particularly while Plaintiff is  
7 out of the country) would be a waste of everyone's resources. Further, even if the motion  
8 is not granted in its entirety, there is a reasonable likelihood that the court's ruling on that  
9 motion will significantly impact any joint status report and discovery plan that the parties  
10 draft and file. Accordingly, the court finds that good cause exists for the limited  
11 extension of time sought by Red Canoe with respect to the deadlines established in the  
12 court's January 7, 2015, order.

#### 13 **IV. CONCLUSION**

14 Based on the foregoing, the court GRANTS Red Canoe's motion for an extension  
15 of time (Dkt. # 19). The court further ORDERS that, if this matter is not dismissed, the  
16 parties shall conduct their Rule 26(f) conference within 30 days following the date that  
17 the court issues an order on Red Canoe's presently pending motion to dismiss, and they

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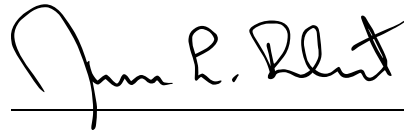
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1 shall exchange their initial Rule 26(a)(1) disclosures and file their combined joint status  
2 report and discovery plan within 44 days of the date of the same order.

3 Dated this 3rd day of March, 2015.

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JAMES L. ROBART  
United States District Judge